

Message Text

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ACTION EUR-12

INFO OCT-01 NEA-10 IO-14 ISO-00 CIAE-00 DODE-00 PM-05
H-02 INR-10 L-03 NSAE-00 NSC-05 PA-02 SP-02
SS-15 USIA-15 MCT-01 SY-05 /102 W
-----099365 031216Z /10

R 021530Z MAR 78 ZDK
FM AMEMBASSY NICOSIA
TO SECSTATE WASHDC 7368
INFO AMEMBASSY ANKARA
AMEMBASSY ATHENS
AMEMBASSY CAIRO

UNCLAS NICOSIA 0575

E.O. 11652: N/A
TAGS: PGOV, PINS, CY
SUBJECT: PRELIMINARY INQUIRY INTO CHARGES AGAINST TERRORISTS
CONTINUES

REF: (A) NICOSIA 537, (B) NICOSIA 0493

1. PRELIMINARY HEARING (REF A) TO DETERMINE WHETHER PRIMA FACIE CASE OF PREMEDITATED MURDER EXISTS AGAINST TWO TERRORISTS CHARGED WITH KILLING YUSSUF AL SIBAI CONTINUED THROUGH MARCH 1. INDICATIONS ARE IT WILL LAST AT LEAST FEW MORE DAYS. TESTIMONY PRESENTED SO FAR GENERALLY MESHES WITH WHAT IS PUBLICLY KNOWN ABOUT CASE, BUT EVIDENCE INTRODUCED MARCH 1 TOUCHED ON THREE POINTS OF CONTROVERSY: WHETHER GOC MADE CONCESSIONS TO TERRORISTS, WHETHER TERRORISTS ACTED ALONE, AND WHETHER YUSSUF AL SIBAI WAS SPECIFIC TARGET OF ATTACK.

2. BRITISH CAPTAIN OF COMMANDEERED CYPRIOT AIRCRAFT, SAM MELLING, TESTIFIED THAT HE BELIEVED AGREEMENT HAD BEEN REACHED BETWEEN PRESIDENT KYPRIANOU AND TERRORISTST THAT THEY WOULD RECEIVE CYPRIOT PASSPORTS AND FREE CONDUCT
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OUT OF CYPRUS IN RETURN FOR RELEASE OF HOSTAGES. CAPTAIN MELLING SAID HE RECEIVED THIS INFORMATION FROM THE TERRORISTS. (GOC PUBLIC POSITION IS THAT IT NEVER HAD ANY INTENTION OF RELEASING TERRORISTS.)

3. OVER OBJECTION OF DEFENSE COUNSEL, STATEMENT OF ACCUSED SAMIR MOHAMMAD KHADAR TO POLICE WAS READ INTO

EVIDENCE. STATEMENT, WHICH GOES CONSIDERABLY BEYOND PUBLIC STATEMENT PREVIOUSLY ISSUED BY TERRORISTS (REF B), CONTAINED FOLLOWING ESSENTIAL POINTS:

-- BOTH TERRORISTS ARE PALESTINIANS BUT DO NOT BELONG TO ANY ORGANIZATION.

-- KHADAR CAME TO CYPRUS FROM YUGOSLAVIA, WHERE HE WAS STUDENT, WITH SPECIFIC PURPOSE OF KILLING SIBAI AND ONLY SIBAI.

-- SIBAI WAS SINGLED OUT AS TARGET BECAUSE HE WAS SPY OF ISRAEL AND U.S., BECAUSE HE WENT WITH SADAT TO ISRAEL, AND BECAUSE HE WROTE ARTICLES FAVORABLE TO ISRAEL.

4. COURT-APPOINTED DEFENSE ATTORNEY, LEFCOS CLERIDES, AS MUCH AS CONCEDED THAT PRELIMINARY HEARING WOULD FIND THAT TRIAL IS WARRANTED BY STATING HE WOULD RESERVE RIGHT TO DEVELOP ARGUMENTS AGAINST ADMISSION OF KHADAR'S EVIDENCE BEFORE ASSIZE COURT.
CRAWFORD

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Message Attributes

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